

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of New York

SARAH MATTHEWS and JEFFREY MATTHEWS,  
Individually and as Parents and Natural Guardians  
of M.M. 1, an infant under the age of 18 years and  
M.NM. 2, an infant under the age of 18 years,

*Plaintiff(s)*

v.

BRUNSWICK CORPORATION d/b/a MERCURY  
MARINE, by and through its Agents, Officers and/or  
Employees

*Defendant(s)*

Civil Action No. 6:24-CV-0202 (DNH/TWD)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Brunswick Corporation d/b/a Mercury Marine  
by and through its Agents, Officers and/or Employees  
W 6250 Pioneer Road  
Fond du Lac, WI 54936

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Timothy J. DeMore, Esq.  
Phillip D. Dysert, Esq.  
DeMore Law Firm, PLLC  
125 East Jefferson Street, Suite 900  
Syracuse, New York 13202

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*John Domene*  
Clerk of Court



Date: 02/12/2024

s/ Helen M. Reese

*Signature of Clerk or Deputy Clerk*

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**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: